

**WESTFIELD POLICE DEPARTMENT
WESTFIELD WASHINGTON SCHOOL CORPORATION**

Memorandum of Understanding

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AGREEMENT is made this the 24th day of July, 2007 by and between the WESTFIELD WASHINGTON SCHOOL CORPORATION and the WESTFIELD POLICE DEPARTMENT as follows:

WITNESETH:

WHEREAS the WESTFIELD POLICE DEPARTMENT agrees to provide and manage the School Resource Officers (SRO). WHEREAS the WESTFIELD POLICE DEPARTMENT desires to set forth in the SRO Agreement to specific terms and conditions of the services to be performed and provided by the said SRO in the WESTFIELD WASHINGTON SCHOOL CORPORATION;
NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

1.0 Goals and Objectives-

It is understood and agreed that the WESTFIELD WASHINGTON SCHOOL CORPORATION and WESTFIELD POLICE DEPARTMENT officials share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the schools:

- 1.1 To foster educational programs and activities that will increase student's knowledge of and respect for the law and the function of law enforcement agencies;
- 1.2 To encourage SROs to attend extra-curricular activities held at schools, when possible, such as PTA meetings, athletic events and concerts;
- 1.3 To act swiftly and cooperatively when responding to major disruptions and flagrant criminal offenses at school, such as: disorderly conduct, trespassers, the possession and use of weapons on campus, the illegal sale and/or distribution of controlled substances, riots, etc.;
- 1.4 To report **all crimes** that occur on campus and to cooperate with other law enforcement officials in their investigation of crimes that occur at school;
- 1.5 To cooperate with law enforcement officials in their investigations of criminal offenses which occur off campus; and

2.0 Employment and Assignment of School Resource Officer-

- 2.1 The SROs will be employees of the WESTFIELD POLICE DEPARTMENT and shall be subject to the **supervision, policies and procedures**, and control of the WESTFIELD POLICE DEPARTMENT, except as such administration, supervision and control is subject to the terms and conditions of this Agreement;

- 2.2 The WESTFIELD POLICE DEPARTMENT and WESTFIELD WASHINGTON SCHOOL CORPORATION agrees to share costs regarding the SROs salary and employment benefits in accordance with the applicable salary schedules and employment practices of the WESTFIELD POLICE DEPARTMENT, including but not necessarily limited to: sick leave, annual leave, retirement compensation, disability salary continuation, workers compensation, unemployment compensation, life insurance, dental insurance, and medical/hospitalization insurance. The SROs shall be subject to all other personnel policies or practices may have to be modified to comply with the terms and conditions of this Agreement;
- 2.3 The WESTFIELD POLICE DEPARTMENT, in its sole discretion, shall have the power and authority to hire, assign, discharge and discipline SROs. The WESTFIELD POLICE DEPARTMENT shall hold the WESTFIELD WASHINGTON SCHOOL CORPORATION free, harmless and indemnified from and against any and all claims, suits or causes of action arising out of allegations of unfair or unlawful employment practices brought by SROs;
- 2.4 The SROs shall be assigned by the WESTFIELD POLICE DEPARTMENT as follows:
- 2.4.1 The SRO shall be responsible for and patrol all school buildings and campus property. There may also be occasions when due to circumstances the SRO may be asked to focus on specific buildings or areas.
- 2.5 In the event an SRO is absent from work due to illness or emergency, the SRO shall notify both his/her supervisor in the WESTFIELD POLICE DEPARTMENT and the principal or other designated school administration personnel.

3.0 Duty Hours-

- 3.1 The SROs will work 7:30 am to 3:00 pm as their regular work hours;
- 3.2 The SROs shall arrive promptly for duty on the school grounds at the designated time.
- 3.3 As an extension of the SRO Program, the SRO may often attend after school activities such as ball games, PTOs and other special functions. Efforts will be made to have these activities done above the normal 40-hour week so that the SRO can still be in the school for student interaction.
- 3.4 It is understood that in the event of a Town emergency, the SRO may be utilized or requested to assist at other municipal locations. This would be done only when the safety of students is not an immediate concern.
- 3.5 Because of mandatory state and department annual training, the SRO will have to attend training from time to time during the school year. The desire of the SRO to become better trained and educated is a quality to be

encouraged. If training arises during the school year, the SRO will notify the appropriate school official well in advance if possible.

- 3.6 Vacation, personal days, floating holidays, etc., should be taken in a limited manner during the school year by the SRO. It is understood that there will be occasions such as sickness, training or emergencies when one of the above may occur or is needed due to unforeseen circumstances. Most all of the SRO's annual above noted time should be planned during those months when school is not in session.

4.0 Basic Qualifications of School Resource Officers-

To be a SRO, an officer must first meet all of the following basic qualifications:

- 4.1 Shall be a commissioned law enforcement officer certified by ILEA;
- 4.2 Shall possess a sufficient knowledge of the applicable Federal and State Laws, City and County ordinances and Board of Education policies and regulations;
- 4.3 Shall be capable of conducting in depth criminal investigations;
- 4.4 Shall possess even temperament and set a good example for students; and
- 4.5 Shall possess communication skills that would enable the officer to function effectively with the school environment.

5.0 Defining the School Resource Program-

The School resource officer program is a nationally accepted program involving the placement of a law enforcement officer within the educational environment on several different levels. The officer is involved in a variety of functions as follows, but not limited to:

- 5.1 As a visible, active law enforcement figure on campus dealing with any law related issues;
- 5.2 As a classroom resource for instruction in the following areas: law related education, violence diffusion, safety programs, alcohol and drug prevention, crime prevention and other areas;
- 5.3 As a member of the faculty and administrative team working hand in hand to solve problems in the school community;
- 5.4 As a resource for the students, which will enable students to be associated with a law enforcement figure in the student's environment;
- 5.5 As a resource to teachers, parents, and students for conferences on an individual basis, dealing with individual problems or questions;
- 5.6 As a counseling resource in areas, which may affect the educational environment but may be law-related in nature.
- 5.7 Bridge the gap between police officer and young people and increase positive attitudes toward law enforcement;
- 5.8 Teach the value of our legal system;
- 5.9 Promote respect for people and property;
- 5.10 Reduce juvenile crime by helping students formulate an awareness of rules, authority and justice;

- 5.11 To take a personal interest in students and their activities;
- 5.12 To allow students access to the legal system;
- 5.13 To give students a realistic picture of our laws and legal system so they will have an investment in supporting and improving it;
- 5.14 Teach students how to avoid becoming a victim through self-awareness and crime prevention.

6.0 Law Enforcement Duties of School Resource Officers-

- 6.1 To protect lives and property for the citizens and public school students of the town/city;
- 6.2 To enforce Federal, State and Local criminal laws and ordinances, and to assist school officials with enforcement;
- 6.3 Board of Education Policies and Administrative Regulations regarding student conduct should be addressed by faculty and in some cases assisted by school security representatives;
- 6.4 To investigate criminal activity committed on or adjacent to school property;
- 6.5 To counsel public school students in special situations, such as students suspected of engaging in criminal misconduct, when provided with information regarding criminal conduct by a principal, teacher, school employee, police related information or by the parents of the student;
- 6.6 To answer questions and conduct classroom presentations for students in the law related education field;
- 6.7 To assist other law enforcement officers with outside investigations concerning students attending the school(s) to which the SRO is assigned;
- 6.8 To provide a police presence for special school events or functions; such as school meetings and/or events as requested by a principal or school administrator;

7.0 Roles and Responsibilities of the School Resource Officer-

- 7.1 Work closely with the school principal(s) and assistant principal(s), meeting at least on a weekly basis;
- 7.2 Provide a program of educational leadership to the students, parents, and faculty addressing tobacco, alcohol, other drug issues, gang activity, violence diffusion, violence prevention, crime prevention, and safety issues in the school community;
- 7.3 Act as a communication liaison with law enforcement agencies; provide basic information concerning students on campuses served by the officer;
- 7.4 Gather information regarding potential problems such as criminal activity, gang activity, student unrest, and identify particular individuals who may be a disruptive influence to the school and/or students;
- 7.5 Take steps appropriate and consistent with a law enforcement officer's duty when a crime occurs;

- 7.6 Refer students and their families to the appropriate agencies for assistance when need is determined;
- 7.7 The SRO will not act as the school disciplinarian;
- 7.8 Attend meetings of parent groups and faculty-wide in-service sessions;
- 7.9 Be available for conferences with students, parents and faculty members to assist with problems related to law enforcement and crime prevention;
- 7.10 Confer with the school administration to develop strategies to prevent or minimize dangerous situations on or near the campus;
- 7.11 Promote citizen awareness of law enforcement efforts on campus to ensure the peaceful operation related programs and build rapport with students;
- 7.12 Whenever possible attend school functions or extracurricular school events; and
- 7.13 Remain fully responsive to the chain of command of the law enforcement agency in all matters related to employment.
- 7.14 The SROs ideas may be actively sought in the planning and architectural design of either new school buildings or remodeling of existing buildings. The SROs involvement would be to provide recommendations and suggestions for perceived safety concerns of buildings and surrounding landscape.

8.0 Duties not Traditional Functions of the School Resource Officer-

While the SRO is in a sense a form of security merely by their presence, the integrity of the SRO Program is compromised when the SRO is viewed/utilized as a security guard. The law enforcement officer is a professional who is specially trained in matters concerning criminal law. The SRO must be available to handle matters that arise throughout the day. Given this fact the following is a partial list of functions that should not be associated as a regular function of the SRO Program:

- 8.1 SROs should not be assigned duties regularly assigned to school personnel such as routine traffic direction, lunchroom duties, hall monitors, pass checkers, greeting table, school disciplinarian. The SRO's primary function and authority is to enforce criminal laws. The SRO, will not enforce a school rule or act on guidance from school representatives in matters not directly related to police duties and tasks. Nothing should preclude an SRO from being available in areas where interaction with the students is expected or needed.

9.0 Transporting Students-

- 9.1 Is agreed that the SROs shall not transport students in their vehicles except:
 - 9.1.1 When the students are victims of a crime, under arrest, or some other emergency circumstances exist.

- 9.1.2 At no time should a student, teacher or school employee be placed or transported in a WPD police vehicle other than for official reasons.

10.0 Investigation and Interrogation-

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The standard operating procedures (SOP) for the investigation of crimes and interview, search and arrest of students are as follows:

- 10.1 Interview Procedures: In the event a serious crime (as defined below) is committed at school or at a school activity, the principal or assistant principal with the assistance of the SRO should:
- 10.1.1 Question any witnesses to determine that a crime was committed and who committed the crime. The SRO shall have the general authority to question or interview any student at school who may have information about criminal misconduct. As a general rule, the interview should be conducted in cooperation with and in the presence of a school official but when immediate action is necessary or in an emergency situation, the SRO may interview a student without the presence of a school official.
- 10.1.2 Question the person suspected of committing the crime. As a general rule, the suspect should not be arrested or placed "in custody" during the initial interview. The suspect shall be informed generally of the purpose of the investigation and given an opportunity to present his/her side.

11.0 Search Procedures-

- 11.1 If the school official has reasonable suspicion for suspecting that a search of a student or a student's possessions will uncover evidence that the student has violated either the law or the rules of the school, the school official may search the student and the student's pockets, pocketbook, book bag, desk, locker, vehicle or any other similar location within the student's control. When requested by school officials, the SRO shall assist with the search in order to protect the safety of all persons involved in the search. If the search uncovers evidence of criminal misconduct, the evidence may be held for or turned over to the SRO.
- 11.2 The SRO may also be used as a resource for the educator when dealing with situations in which the educator needs advice/input in any situations.

12.0 Reporting of Serious Crimes-

If the investigation uncovers evidence of a serious crime; a school official shall notify the SRO immediately.

- 12.1 For the safety and liability of all occupants of the school, there are certain situations an educator becomes aware of in which the SRO should immediately be contacted. Due to the training, experience and equipment of the SROs, they are better trained and prepared to deal with issues involving weapons and violent situations. For this reason, it is important that upon discovering a possible crime, the SRO and school officials shall collaborate on a plan of action. Some of these crimes include but are not limited to the following.

- Firearms
- Knives
- Bombs
- Clubs
- Destructive devices
- Explosives
- Tasers
- Threats to kill
- Sexual offenses
- Assault

13.0 Arresting of Students-

- 13.1 The arrest of students is at the discretion of the SRO. However, the SRO will consult with the school officials to determine an appropriate discipline plan based on the student and the particular situation. Absent a mutual agreement, the SRO has authority to make the final decision in matters related to criminal law violations.

14.0 Bomb Threats-

- 14.1 It is a misdemeanor/felony to give false information concerning the placement of a bomb in a school building. School officials, the SRO and fire safety officials shall cooperate in the implementation of procedures in the event of a bomb threat. In all cases, the principal shall report such incidents to the SRO. In the absence of physical evidence, it is the principal's decision to evacuate the school.

15.0 Controlled Substances-

- 15.1 School officials shall notify the SRO in all cases involving ALL possessions, sales or distribution of controlled substances at school or school activities.

- 15.2 Any controlled substances or suspected controlled substance confiscated by school officials shall be turned over to the SRO for proper identification and eventual destruction.
- 15.3 If there is probable cause to believe that a student or any other person has sold or is selling controlled substances at or near a school, the SRO shall be notified and the SRO should (at his/her discretion) file a juvenile detention report through the prosecutor's office.

16.0 Access to Student Geographic Information-

- 16.1 It is necessary for the SRO to have access to addresses and phone numbers as well as contact information for students and their parents. The school will make available that information to the SRO for official law enforcement purposes only.

17.0 Sharing Student Information-

- 17.1 There may be times when the SRO becomes aware of a safety concern regarding a student that could be an officer safety issue for other officers coming into contact with that student. It is a common practice among law enforcement agencies to share intelligence information on individuals whom they believe could be a potential threat to officer safety. If the SRO becomes aware of such a student, under the 1994 FERPA (Family Educational Reporting Privacy Act) Amendment, information on such a student may be released to the "juvenile justice system". The SRO should supply the principal with a copy of any written correspondence information that is passed on to other law enforcement officers. The SRO will label the written document "CONFIDENTIAL OFFICIAL POLICE USE ONLY NOT FOR RELEASE TO PUBLIC".

18.0 School Security Officers-

- 18.1 The intent of this memorandum is not to diminish the authority of the school administrators or of their employees. It is however imperative to distinguish between the 2 entities for the sake of law enforcement purposes.
- 18.2 WPD will be charged with all criminal investigation and arrest authority on school property, unless special and unforeseen circumstances exist. All information concerning criminal acts or incidents must be provided to the SRO immediately so that prompt action can be taken. On those rare occasions when a SRO is not present, an on-duty WPD officer should be contacted and asked to respond.
- 18.3 The school will not change uniforms, badges, shoulder patches and vehicle markings of the school security without prior approval from the WPD.
- 18.4 All school employees should be notified of the differences in the SRO and School security functions before the SRO is placed into service.

18.5 The Town of Westfield or any member of The Westfield Police Department will not be responsible or liable for training, conduct or actions of a school security officer.

19.0 Compensation-

- 19.1 Amount: Westfield Washington Schools agrees to pay the Town of Westfield 9/12ths of the cost of the salary and benefits including time off for the police officer assigned as SRO. In addition the school agrees to pay a fixed amount equal to 9/12ths of the cost of support material for the officer. This may include but not be limited to uniform allowance, department provided uniform accessories, communication devices, automobiles, and consumable items.
- 19.2 Westfield Washington Schools agrees to reimburse the Town of Westfield for the cost of overtime worked by the officer while performing school assigned duties during the same 9/12ths of the year that school is in session.
- 19.3 Billing shall occur not more than twice per year once in December and once in July. The billing shall be prepared by the town and shall be presented for payment to Westfield Washington Schools.

IN WITNESS WHEREOF, the parties hereto have caused this Operation Agreement to be executed the day and year first written above.

WESTFIELD WASHINGTON SCHOOL CORPORATION

BY: Mark Allen

WESTFIELD POLICE DEPARTMENT CHIEF

BY: _____

WESTFIELD WASHINGTON SCHOOL CORPORATION BOARD

BY: Camille

TOWN OF WESTFIELD TOWN MANAGER

BY: _____